

REMARKS

Claims 10 to 21 and 23 to 28 are pending in this application, of which claims 10, 19 and 25 are the independent claims. Favorable reconsideration and further examination are respectfully requested.


In the Office Action, the claims were rejected for statutory double patenting over U.S. Patent No. 6,734,533 (the '533 patent), which issued from the parent of the subject application. Without conceding the propriety of the rejection, Applicants have amended independent claim 9 to recite that the CDO film has a modulus of about 11.5 GPa or greater; independent claim 19 to recite that the CDO film has a hardness in a range of about 1.9 GPa to about 3.5 GPa; and independent claim 25 to recite that the CDO film has a hardness having a hardness of about 1.9 GPa or greater and a modulus of about 11.5 GPa or greater. The ranges set forth by these claims are not claimed in the '533 patent. Accordingly, withdrawal of the statutory double patenting rejection is respectfully requested.

There being no other issues, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

No fee is believed to be due for this Amendment; however, if any fees are due, please apply them to Deposit Account 06-1050.

Respectfully submitted,

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Paul A. Pysher
Reg. No. 40,780

ATTORNEYS FOR INTEL
Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906